P.O. Box 931057
Los Angeles, California 90093

June 4, 2014

Los Angeles Department of Regional Planning
ATTN: Thuy Hua
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

via email: thua@planning.lacounty.gov

Dear Ms. Hua:

Los Angeles Audubon has been a voice for birds and conservation in Los Angeles for over 100 years. Our mission is to promote the enjoyment and protection of birds and other wildlife through recreation, education, conservation and restoration. We have more than 10,000 members and supporters in the County of Los Angeles.

Los Angeles Audubon supports renewable energy to reduce the impacts of climate change when the energy generation structures and transmission are sited properly to avoid, minimize or mitigate effectively for impacts on birds and other wildlife and their habitat.

Thank you for the opportunity to provide comments on draft 2 of the Renewable Energy Ordinance of the County of Los Angeles.

1. **22.52.1640-B-Height Standards for Temporary Meteorological Towers.**

The ordinance should require higher standards for permitting meteorological towers that measure wind speeds. Tower height, guy wires and steady-burning lights have a tremendous impact on species of birds, especially nocturnal migrants protected under the federal Migratory Bird Treaty Act (MBTA) and other laws.[1]

The ordinance should encourage the use of LIDAR or other remote sensing meteorological measuring technologies that avoid impacts on birds and bats, and if towers are permitted they should have no guy wires and no steady-burning lights.

Flight diverters have limited effectiveness in deterring nocturnal migrants.

2. 22.52.1660 Standards for Ground-Mounted Utility-Scale Renewable Energy Facilities

Section H – Transmission lines.

[1] Longcore et al, Height, Guy Wires, and Steady-burning lights increase hazard of communication towers to nocturnal migrants: A review and meta-analysis, http://www.urbanwildlands.org/Resources/Longcore_06-253.pdf

The ordinance should require applicants to conform to Avian Power Line Interaction Committee (APLIC) guidelines http://www.aplic.org if any power lines, gen-tys or substation connections sited above ground. We appreciate the efforts of the County to site transmission and power lines under ground.

Section L – Impacts to Birds and Bats

We are especially concerned that Section L of 22.52.1660 Standards for Ground-Mounted Utility-Scale Renewable Energy Facilities is too brief and provides little guidance to permit applicants in siting their project.

We recommend that Section L.

- include a list of the current regulatory framework of federal, state and municipal laws, executive orders, and treaties that protect birds, bats, and their habitat .
- require conformance by permit applicant to federal as well as state guidelines for utility-scale wind energy projects

http://www.energy.ca.gov/windguidelines/
http://www.fws.gov/windenergy/docs/weg_final.pdf

- state a preference for avoidance of impacts over minimization or compensatory mitigation for impacts
- require consultation with U.S. Fish & Wildlife Service and California Department of Fish & Wildlife on preparation of an Avian Bat Protection Plan (also known as Bird Bat Conservation Strategy) for both solar and wind projects whether an endangered or threatened species is present on the site. Solar projects impacts on birds are shown to be potentially significant.

While these guidelines are aimed at utility-scale wind projects, the siting process is also generally valid and useful for siting small-scale wind energy systems, and some elements are useful for siting solar projects.

3. **22.52.1650 Standards for Small-Scale Wind Energy Systems**

Ridges are known to concentrate bird and bat movements.[2] Raptors are especially vulnerable to wind turbines sited on ridges. Strickland et al. (2001) concluded that wind turbines located away from the edge of the ridge at Foote Creek Rim, Wyoming, would result in lower raptor fatality rates than turbines located immediately adjacent to the edge. Smallwood and Neher (2004) had similar findings in that they determined that raptors fly disproportionately more often on the prevailing windward aspects of slopes.[3]

The ordinance should use the best available science to determine a setback from a ridge for a wind energy project, and what the setbacks should be for windward slopes. 50 feet is not adequate. We recommend 500 feet.

Sincerely,

Garry George
Conservation Chair
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[2] California Energy Commission & California Dept of Fish & Wildlife, California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development
[3] California Energy Commission & California Dept of Fish & Wildlife, California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development